

1 **ENVIRONMENTAL AND PUBLIC PROTECTION CABINET**

2 **DEPARTMENT OF LABOR**

3 **OFFICE OF WORKERS' CLAIMS**

4 **(Amendment)**

5 **803 KAR 25:089. Workers' Compensation Medical Fee Schedule for**
6 **Physicians.**

7 RELATES TO: KRS 342.019, 342.020, 342.035, 342.735

8 STATUTORY AUTHORITY: KRS 342.020, 342.035, 342.735

9 NECESSITY, FUNCTION, AND CONFORMITY: KRS 342.035 requires the
10 Executive Director [~~Commissioner~~] of the Office [~~Department~~] of Workers' Claims
11 to promulgate administrative regulations to ensure that all fees, charges and
12 reimbursements for medical services under KRS Chapter 342 are limited to
13 charges that are fair, current, and reasonable for similar treatment of injured
14 persons in the same community for like services, where treatment is paid for by
15 general health insurers. This administrative regulation establishes the medical
16 fee schedule for physicians.

17 Section 1. Definitions. (1) "Medical fee schedule" means the Workers'
18 Compensation Medical Fee Schedule for Physicians.

19 (2) "Physician" is defined by KRS 342.0011(32), and shall include other
20 health care or medical services providers to whom a procedure code listed in the

medical fee schedule is applicable if another fee schedule of the Office
[Department] of Workers' Claims does not apply.

Section 2. Services Covered. (1) The medical fee schedule shall govern all medical services provided to injured employees by physicians under KRS Chapter 342; and

(2) The medical fee schedule shall also apply to other health care or medical services providers to whom a listed CPT code is applicable unless:

(a) Another fee schedule of the Office ~~[Department]~~ of Workers' Claims applies; or

(b) A lower fee is required by KRS 342.035 or a managed care plan approved by the Executive Director ~~[commissioner]~~ pursuant to 803 KAR 25:110.

Section 3. Fee Computation. (1) The appropriate fee for a procedure covered by the medical fee schedule shall be obtained by multiplying a relative value unit for the medical procedure by the applicable conversion factor.

(2) The resulting fee shall be the maximum fee allowed for the service provided.

Section 4. (1) A physician located outside the boundaries of Kentucky shall be deemed to have agreed to be subject to this administrative regulation if it accepts a patient for treatment who is covered under KRS Chapter 342.

(2) Pursuant to KRS 342.035, medical fees due an out of state physician shall be calculated under the fee schedule in the same manner as for an in state physician.

Section 5. Incorporation by Reference. (1) The 2005 ~~[2004]~~ Workers' Compensation Medical Fee Schedule for Physicians, (June, 2005 ~~[October 15, 2004]~~ edition), is hereby incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office ~~[Department]~~ of Workers' Claims, Prevention Park, 657 Chamberlin ~~[To Be Announced]~~ Avenue, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

William P. Emrick, Executive Director
Office of Workers' Claims

Date

A public hearing on this administrative regulation shall be held on July 22, 2005, at 10:00 a.m. (EST) at the offices of the Office of Workers' Claims, Prevention Park, 657 Chamberlin Avenue, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by July 15, 2005, five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be cancelled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until August 1, 2005. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Carla H. Montgomery, General Counsel
Office of Worker's Claims
Prevention Park
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Frankfort, Kentucky 40601
Telephone Number: (502) 564-5550, Ext. 4464
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803 KAR 25:089

WORKERS' COMPENSATION MEDICAL FEE SCHEDULE FOR PHYSICIANS

SUMMARY OF INCORPORATED MATERIAL

FILED WITH LRC JUNE 15, 2005

803 KAR 25:089 incorporates by reference the following:

1. **2005 Workers' Compensation Medical Fee Schedule for Physicians.**

Total number of pages is 819.

Pursuant to KRS 342.035, the Commissioner is required to review and update the medical fee schedule contained in this administrative regulation.

The fee schedule sets forth physician services, unit values, and conversion factors. Physicians in Kentucky providing medical treatment for employees covered by workers' compensation insurance are reimbursed according to this fee schedule.

Conversion factors and relative values for all medical services have been updated. Procedural coding and description of medical services have been updated. Ground rules governing use and application of the fee schedule have been clarified.